



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

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Ref: 8EPR-N

MAY 23 2006

May 23, 2006

Teri Deakins  
Bureau of Land Management  
Rock Springs Field Office  
280 Highway 191 North  
Rock Springs, Wyoming 82901

Re: Pit 14 Coal Lease-by-Application  
Draft Environmental Impact Statement  
CEQ# 20060086

Dear Ms. Deakins:

In accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act, Region 8 of the Environmental Protection Agency (EPA) has reviewed and rated the *Pit 14 Coal Lease-by-Application Draft Environmental Impact Statement (DEIS)*, dated March 2006. This DEIS is for a Lease-by-Application (LBA) filed by the Black Butte Coal Company, which would allow them to access federal coal reserves located adjacent to the existing Black Butte Mine in Sweetwater County, Wyoming. The existing mine and the LBA are located approximately 28 miles southeast of Rock Springs, Wyoming.

**Specific Comments:**

- Pg. 55, Section 3.2.1.2 – Air Pollutant Concentrations – EPA is pleased to see the discussion of the indirect air quality impacts of coal mining, which is the release of air contaminants including carbon dioxide and mercury by way of coal combustion from power plants. We recommend that a statement be included showing the range of mercury concentrations found in Black Butte coal and comparing this concentration with other coal mined in Wyoming and the United States.
- Pg. 121, 4<sup>th</sup> paragraph – Good discussion on the role of jurisdictional agencies and mitigation to protect natural resources. This discussion corresponds well with the Council on Environmental Quality's written guidance (Questions and Answers About the NEPA Regulations, March 16, 1982) which states that "All relevant, reasonable mitigation measures that could improve the project are to be identified, even if they are outside the jurisdiction of the lead agency or cooperating agencies, and thus would not be committed as part of the RODs of these agencies. This will serve to alert agencies or officials who can implement these extra measures, and will encourage them to do so."

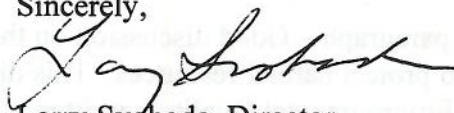


- Pg. 122, Section 4.6.4 – Please include a statement comparing the air emissions from the proposed project area to those currently occurring in the Black Butte Mine. Will haul trucks have higher emissions due to the drive on a longer route to the coal loading area? Under the current operating scenario, would moving the coal hopper, conveyor, and coal loading area closer to the proposed project area be beneficial in reducing truck exhaust emissions and the associated fugitive dust emissions from unpaved roads?
- Pg. 126, Table 4.5 - The labels for the columns of NAAQS and WAAQS are reversed. The incorrect labeling affects the 24-hour and annual standards for sulfur dioxide (SO<sub>2</sub>). The Wyoming 24-hour and annual SO<sub>2</sub> standards are 260 µg/m<sup>3</sup> and 60 µg/m<sup>3</sup>, while the corresponding national standards are 365 µg/m<sup>3</sup> and 80 µg/m<sup>3</sup>. Please revise the table accordingly.
- Pg. 150, Section 4.11.2.7 – We recommend that a summary of the “raptor protection and mitigation plan” be included in this section. EPA understands that mitigation measures for the Proposed Action are similar to those that were developed for the existing operations at the Black Butte Mine.
- Pg. 164, Section 4.15.1.5 – Please clarify the statement “In these areas (private lands), the loss or damage to unidentified cultural or historical site or resources could be substantial.” Does either state or federal regulations concerning cultural resources apply to private land owners?

EPA is rating the Proposed Action as an EC-2. “EC” (Environmental Concerns) signifies that the EPA review of the DEIS identified environmental impacts that should be avoided in order to fully protect the environment. For this project, the air quality cumulative impacts indicate a significant level of visibility impairment at the Bridger Wilderness Class 1 area. For this reason, the Proposed Action should minimize particulate and nitrogen oxide emissions wherever possible. The “2” signifies that there is insufficient information to fully assess environmental impacts that should be avoided in order to fully protect the environment. For this project, the potential reduced truck emissions, obtained by moving the coal loading area closer to the new mining area, is missing. We have enclosed a summary of EPA’s rating criteria and definitions.

If you have any questions about these comments, please contact Robert Edgar at (303) 312-6669 or me at (303) 312-6004.

Sincerely,



Larry Svoboda, Director  
NEPA Program  
Ecosystem Protection and Remediation

Enclosure